

# **ORM NEWS**

From the Office of the Deputy Assistant  
Secretary for Resolution Management  
Department of Veterans Affairs



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December 2001

## ***From the Deputy Assistant Secretary***

**CONGRATULATIONS!!! ORM had a great year.**

**Your efforts are adding value to VA and are helping to create an "Employer of Choice" environment within the agency. We have made great strides over the past year in a number of areas and what we have accomplished is an unqualified success.**

**Our processing time continues to improve. We are helping to settle more cases through ADR. The time it takes to investigate and process formal complaints is steadily decreasing. Our use of Root Cause Analysis and feedback to field facilities and VACO offices are showing positive results. We have greatly reduced and virtually eliminated the backlog of cases to be investigated and the number of cases that are older than 180 days. Our Web-based tracking system is operational and we have established our Virtual Private Network (VPN).**

**We cannot, however, rest on what we have done in the past. Just as we have taken the lead in emphasizing early resolution and prevention, we must strive to meet all of our targets outlined in our Integrated Business Plan (IBP) and Work Plan. We must continually refine our goals to better serve VA and the veterans who have given so much to our country.**

**Again, Congratulations on a great year and we look forward to even more accomplishments in 2002!!!**

**Happy Holidays** to each of you and your families.

**/s/  
James S. Jones**

## **Highlights of Regulations and Programs**

### **Update on Sexual Orientation Claims of Discrimination**

Did you know that VA no longer processes claims of discrimination based on sexual orientation through the EEO process? That's right. These cases are no longer processed by ORM.

On May 8, 1998, Executive Order 13807 amended Executive Order 11478 to include sexual orientation as a protected category regarding discrimination in Federal employment. Executive Order 13152, issued on May 2, 2000, further amended EO 11478 and prohibits discrimination on the basis of an individual's status as a parent. The Executive Orders do not create any new enforcement rights, such as the ability to proceed before the Equal Employment Opportunity Commission (EEOC). Therefore, EEOC has no jurisdiction over cases filed on the basis of parental status or sexual orientation. The Office of Personnel Management (OPM) developed guidance on the existing administrative and legal remedies available to Federal employees who believe they have been victims of discrimination based upon parental status and sexual orientation. In keeping with this initial guidance, VA is adopting the procedures put in place by OPM.

OPM has identified allegations on parental status or sexual orientation to constitute a prohibited personnel practice. As such, individuals can then seek assistance, under certain circumstances, from the following sources:

- Merit System Protection Board
- Office of Special Counsel
- Negotiated Grievance Procedure
- Agency Grievance Procedure

This is just a heads up. Additional information, as well as procedural guidance is forthcoming in the very near future.

*(Maria J. Ramos, EEO Specialist, Office of Policy & Compliance)*

### **EEOC Chair Outlines 5-Point Plan of Action**

"If the federal government is to truly become a model EEO employer, I firmly believe that EEOC must include the federal sector program as an integral component of our law enforcement efforts," said EEOC Chair Cari M. Dominguez in remarks prepared for the Public Administration Forum (PAF) "EEO Law Trends & Update" seminar and presented by Carlton Hadden, Director of the EEOC's Office of Federal Operations.

The EEOC has developed a 5-Point Plan of Action to achieve the agency's goals in a more collaborative and partner- like manner with all stakeholders. The plan is as follows:

**1. Proactive Prevention:** Involves outreach, education and technical assistance. Efforts include a 16-hour EEO Training Course for all managers and supervisors of the Environmental Protection Agency.

**2. Proficient Resolution:** Agencies, complainants and federal unions have complained that it takes too long to process a complaint through the federal sector process. The EEOC has a goal to process complaints faster, better and cheaper, and increase use of technology.

**3. Strategic Enforcement and Litigation:** The EEOC will continue its approach to create a seamless operation between all federal sector programs by using the Comprehensive Enforcement Program (CEP). For example, the agency will begin analyzing data in a more meaningful way to look for employment trends and how and where discrimination is occurring.

**4. Promote and Expand the Mediation Program:** The EEOC has had success with its private sector mediation program and would like to see the same kind of results in the federal sector. The EEOC is developing a Federal Sector ADR page for its Website to assist employees, dispute resolution professionals, and agencies. In addition, the Chair issued a memorandum to EEOC supervisors and managers directing them to use mediation to try to resolve the agency's own internal EEO complaints.

**5. Practice What We Preach and Make EEOC a Great Place to Work:** The agency aims to create a model workplace within the Commission.

For more information on Public Administration Forum programs and seminars for 2002, go to the PAF Website at <http://www.paf.org>.  
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## **Five Steps to a Healthy Public Service**

In a recent article entitled “To Restore and Renew” Paul C. Light, Director of Governmental Studies at the Brookings Institute, states, “In order to serve the nation during times of crisis or calm, a healthy public service must pass five tests: It should be motivated by the public good, recruited from the top of the labor market, given the tools to sustain high performance, be rewarded for a job well done and be trusted by the people it serves.”

The article details the results of a first-of-its-kind telephone survey of federal employees at home by Princeton Survey Research Associates on behalf of the Brookings Institution’s Center for Public Service. Mr. Light discusses the findings of the survey and what he believes is needed to sustain a healthy federal public services. This article appeared in Government Executive Magazine.

Mr. Light lists five important characteristics of a healthy public service:

- The first and perhaps most important characteristic of a healthy public service is that its members are motivated first and foremost by the public good.

- The second characteristic of a healthy public service is that it aims for the top of the labor market when it hires new employees, not just for the top of the pool that happens to be available. A healthy public service recruits aggressively, pays competitively and provides the kind of work that talented Americans want.
- The third characteristic of a healthy public service is that it has the tools and resources to sustain and achieve high performance. Highly motivated, talented employees can succeed for only so long without organizational support, nor will they stay long in organizations that refuses to provide the tools, technologies, training and structures that help them to grow.
- The fourth characteristic of a healthy public service is that it performs its job well and is held accountable for doing so.
- The fifth and final characteristic of a healthy public service is that it has the respect and confidence of the people it serves, including the President and Congress.

We need to ask ourselves, individually and collectively if we meet the test described by Mr. Light. Each individual must answer these questions and where we do not meet the standard, we must improve. Please share your thoughts with me regarding how we are doing and what we can and should do to improve.

*(James S. Jones, DAS for ORM)*

## **Supreme Court Rules 9-0 Against Federal Worker in Employment Case**

The U.S. Supreme Court ruled unanimously recently that the federal government may consider past disciplinary infractions in deciding whether to fire federal employees for misconduct. In her opinion for the court, Justice Sandra Day O'Connor held the Merit Systems Protection Board has discretion to decide on the relevance of prior disciplinary actions-even those in pending grievance procedures. "If the board's mechanism for reviewing prior disciplinary actions is itself adequate, the review such an employee receives is fair," she wrote.

The case involved Maria Gregory, a letter carrier in Georgia, who was fired in 1997. She had been disciplined three times previously. After each instance, she filed a grievance against the U.S. Postal Service through her union, the National Association of Letter Carriers. Gregory was dismissed after she requested 3.5 hours of overtime to complete her route and a supervisor decided she had overestimated the time worked by more than an hour. Gregory maintained the MSPB should not have considered her case while there still were challenges pending. But the high court held the Federal Circuit Court of Appeals was mistaken in ruling the MSPB can't consider disciplinary actions that are being appealed. The Supreme Court sent the case back to the appeals court to decide whether Gregory's dismissal was fair. *(Reprinted with permission of Federal Employees News Digest)*

## **President Bush Signs VA/HUD FY 2002 Budget**

President Bush signed VA's FY2002 budget into law last week (the "Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002"). It provides VA \$51.1 billion to perform its mission this fiscal year, a 6.8 percent increase over last year.

## **Managerial Flexibility Act Proposes Higher Bonuses For Employees**

Federal agencies would be able to offer employees enhanced recruitment, relocation and retention bonuses under proposals made under the Managerial Flexibility Act of 2001. The measure, introduced in Congress by Sen. Fred Thompson, R-Tenn., includes new approaches for hiring, restructuring work forces, and management of government property. Even some current employees could get recruitment bonuses in situations such as changing careers. Another portion of the legislation would correct pay problems that occur when employees are put in a special rate range. In yet another initiative, the Thompson bill would allow federal employees nearing retirement age to work part-time without affecting their retirement annuity. *(Reprinted with permission of Federal Employees News Digest)*

### **Web Based Tracking System Input Reminder!**

*This is a reminder of the importance of ensuring that the data input into the Web Based Tracking System is accurate. Please take the time to ensure that the data you input is accurate.*

## What's Happening in the Field?



### Lyons and Bedford Offices

The Lyons and Bedford Offices have merged. The Bedford Office is now a satellite office of Lyons. **Rosa Franco** is the Regional Manager for both offices.

### Washington Field Office

The Washington Field Office initiated a Thanksgiving food collection, and is currently collecting food and toys for the Christmas Holiday. Employees of the Washington Field Office, the Office of the Deputy Assistant Secretary, and the Office of the Chief Operating Officer are making donations. We thank **Fred Smith**, Intake Specialist, for organizing this collection.

The Thanksgiving and Christmas donations are for an organization called Martha's Table. They provide children with nutritious meals and a safe place to learn and grow. They also provide food and clothes to the hungry and homeless, and provide education and life enhancing opportunities/activities to entire families. They are open 365 days a year, and have special community dinners for Thanksgiving, Christmas, and Easter. It is making this time of year even more special to know that we are able to help brighten the lives of other's. Happy Holidays from ORM in Washington, DC!

### Cleveland and Detroit Offices

Congratulations are in order for the Cleveland/Detroit Office staff. 12 cases were resolved/withdrawn for the month of October 2001.

### Leavenworth Field Office

Keeping in touch with our customers, the Leavenworth Field office provided Supervisor/Managers Training to the Columbia VA Medical Center. [W. Gregg Buckner](#), Intake Specialist, facilitated the training. The agenda included the EEO Process, Prevention, Promoting Early Resolution and the Root Cause.

Community efforts included the Leavenworth ORM Staff participating in the "Adopt a Family Program" for the Thanksgiving Holiday. Leavenworth Emergency Assistance Center and the Salvation Army sponsored the program. [Pamela Grosdidier](#) was the main coordinator for the event. Donated items included, food items (to include a turkey), paper and cleaning supplies. Donations were greatly appreciated by both organizations. The Leavenworth Office is also planning to participate again in the "Adopt a Family Program" for the Christmas Holidays.

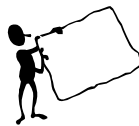
### CFC Contributions

Employees of the DAS' office, the Office of Policy and Planning, the Washington Field Office, and IT staff held a raffle and auction of employee handicrafts and raised an additional \$464.90 for the CFC.

The staffs of the Cleveland/Detroit Office made a contribution of \$2,796.22 to the CFC,

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## Special Employee Announcements



### New Employees, Promotions, and Selections:

#### Bay Pines Field Office

We ask that everyone join us in congratulating [Kelly Bonser](#) on the birth of her son, [Chase Edward](#), who was born on August 7<sup>th</sup>, 2001, and weighed in at 7 lbs, 5 oz.

### Office of the DAS

Please Welcome **Denise Bond**, Worker Trainee, to ORM. Denise has formally joined us after working in the DAS' office on a temporary basis.

### Leavenworth Field Office

We are proud to announce that **Pamela (Pam) Randolph** has been selected for the EEO Counselor position located at the Leavenworth Field Office. Pam was a Social Worker at the Leavenworth VA Medical Center prior to joining the ORM Leavenworth team. Welcome aboard Pam.

## ***Congratulations!***

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### Did You Know?



- National Drunk, Drugged & Driving Prevention Month
- World Aids Day – 12/1/01
- Pearl Harbor Remembrance Day – 12/07/01
- Hanukkah - 12/12/01 to 12/17/01
- Christmas Day 12/25/01
- Kwanzaa – 12/26/01 to 12/31/01
- New Year's Eve – 12/31/01





## Thrift Savings Plan Rates of Return

### October 2001:

G Fund: 0.41%

F Fund: 2.12%

C Fund: 1.85%

S Fund: 5.09%

I Fund: 2.47%

### Last 12 Months\* (9/2000-10/2001):

G Fund: 5.57%

F Fund: 14.70%

C Fund: (24.90%)

S Fund: (25.53%)

I Fund: (25.29%)

**Percentages in ( ) are negative.**

*(Reprinted with permission of Federal Employees News Digest)*

## Health Care Premiums Increase by 13 Percent

Health care insurance premiums for the average federal employee will rise 13 percent next year, continuing a trend that has seen premiums skyrocket 50 percent in the past five years.

In addition, the largest federal health insurer has announced a major change in the health plans it will offer in 2002. Blue Cross and Blue Shield Association will merge its two nationwide preferred-provider plans — the standard option and high option — and introduce a lower-cost plan that restricts benefits to preferred health care providers. Blue Cross insures about 48 percent of the 9 million enrollees in the federal government's health care program, the Federal Employees Health Benefits Program.

Premiums for federal employees enrolled in health maintenance organizations will rise an average 14 percent, while premiums in the more traditional fee-for-service plans will rise an average 13 percent. Individuals will pay about \$4.32 more every two weeks, while families will see their biweekly payments rise \$11.57. The average biweekly premium for individuals will be \$40.89 for the enrollee and \$94.72 for the government, which pays about 72 percent of the total premium. The average biweekly premium for families will be \$92.10 for the enrollee and \$217.56 for the government.

In literature provided to news organizations, OPM said factors contributing to the increase include the increased use of medical services, costly advances in medical technology and an aging population.

**"These are consistent with trends seen elsewhere in the health care industry," OPM said. (Excerpt of an article from the FEDERAL TIMES)**

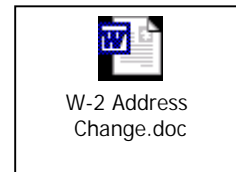
## Use HR LINK\$ to Review and Update W-2 Address

*Be sure your correct address  
is reflected  
on your 2001 Form W-2!*



**Changes must be made by December 14, 2001  
to be effective for Form W-2.**

For more information click on the attached document:



## Ergo-robics

Office work may not exactly be strenuous but it can take a toll on the body nonetheless, experts say. Typing for long hours can stress the hands and arms, and sitting in a static posture for extended periods may lead to cramped muscles and pinched nerves, research suggests. That's why many occupational health professionals advise warming up before work and performing stretches and exercises throughout the day. Think of it as ergo-robics

- **START THE DAY** off with five minutes of simple stretching exercises before beginning work.
- Then focus in on specific areas with exercises like shoulder rolls, small arm circles and gentle wrist flexes.
- Throughout the day, take at least one more stretch break.
- In between stretch breaks, be sure to get up from your desk at least once an hour and walk around, experts say.
- Take five minutes and do something that's not tied to the computer, such as picking up your mail, making copies, checking the fax, getting a drink or talking rather than e-mailing a colleague —something that makes you get out of your static, sitting posture.

People who keep their eyes glued to the screen for extended periods without appropriate breaks may be at increased risk for repetitive stress injuries.

For more information go to <http://www.msnbc.com/news/610810.asp>

## **Reminders:**

Articles in this month's edition include:

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- ❑ Click on ORM's Web site at <http://vaww.va.gov/orm> for the latest information on ORM programs, policies, and employee information.

**Remember! Assistance is available to ORM employees through our Employee Assistance Program with Green Spring Health Services. If you are in need of some type of counseling as a result of the recent terrorist activities, you are encouraged to call 1 (800) 523-5015. Employees in the DC Metro area can also call Linda Smith at (202) 273-5015.**

**For assistance with computer problems contact the ITS Help Desk at (202) 273-6676 or send an e-mail to [ORM.Help@orm.va.gov](mailto:ORM.Help@orm.va.gov)**

**Visit the EEOC Web site [www.eeoc.gov](http://www.eeoc.gov) for current information on EEOC programs, decisions and other information relevant to the EEO process.**

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